

February 23, 2015

15-6

A regular meeting of the Caribou City Council was held 6:00 p.m. on Monday February 23, 2015 in Council Chambers with following members present: Deputy Mayor David Martin, Philip McDonough II, Joan L. Theriault, Shane McDougall, Tiffany J. Stewart, and Jody R. Smith. Mayor Aiken was absent and excused.

Austin Bleess, City Manager was present.

Department Managers: Penny G. Thompson, Tax Assessor; Scott Susi, Fire Chief; Michael Gahagan, Police Chief; and Gary Marquis, Supt. Of Parks & Recreation.

Time Warner covered the meeting.

Council Agenda Item #1: Public Input

None.

Council Agenda Item #2: Declaration of Conflicts of Interest from the City Council regarding any agenda item.

None.

Council Agenda Item #3: Consider authorizing the minutes of the following meetings:

- a) February 5, 2015 Council Workshop
- b) February 9, 2015 Council Meeting

Motion made by P. McDonough, seconded by J. Smith to approve the minutes of the February 5, 2015 Council Workshop and February 9, 2015 Council Meeting with the following amendment to Council Meeting Agenda Item #7 changing Robby Jandreau to Robby Jalbert (6 yes) So voted.

Council Agenda Item #4: Consent Agenda

- a) Approval of Quit Claim Deed
  - 1. Farmers Realty Trust - Map 15 Lot 49

Motion made by P. McDonough, seconded by J. Theriault, to approve the Consent Agenda with Business Items A as presented. (6 yes) So voted.

Council Agenda Item #5: Ordinance Regarding Sale of City Property

6:02 p.m. Public Hearing Opened.

Philip St. Peter, owner of Caribou Office Park, located at 7 Hatch Drive, stated that building was originally built some 35 years ago to house the Maine Department of Human Services and this brought 80 employees to Caribou. Mr. St. Peter did confirm the City of Caribou had offered to sell him the parking lot in front of Caribou Office Park three times.

Clinton St. Peter, son of Philip and Janice St. Peter, spoke in opposition to the proposed sale of nearly all the parking spaces located in front of the Caribou Office Park. Mr. St. Peter questions why his family wasn't offered first refusal. The sale of parking spaces will negatively affect their tenants and the value of the family's building. When asked about the number of spaces needed to accommodate their

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tenants, Mr. St. Peter stated that they would need about half of the spaces located in the lot. He requested that the City look at a different option other than selling nearly all the spaces in front of the Office Park as it is unreasonable for their parking to go from 65 to 17 spaces.

Deputy Mayor Martin stated that Sitel wants one hundred parking spaces.

Katherine Anderson, owner of Professional Home Nursing and tenant of Caribou Office Park, spoke in opposition to the proposed sale of the parking spaces at 7 Hatch Drive. Ms. Anderson stated that her organization has been around for 20 years, services all of Aroostook County, and their only office is at 7 Hatch Drive. Professional Home Nursing employs 25 individuals and is one of nine businesses that provide services out of Caribou Office Park.

6:39 p.m. Public Hearing Closed.

Council discussion. When asked by Councilor Smith as to the number of parking spaces needed, Clinton St. Peter stated that he and his family would want 27. There was discussion as to whether the location of the 100 parking spaces needed by Sitel could be negotiated.

Deputy Mayor Martin allowed Curt Anderson to speak. Mr. Anderson wonders if Sitel might consider using some other underutilized parking lots. Debbie Sutherland stated that the "back wall" in the North Mall parking lot is full with vehicles. The Cary Medical Center Billing Department uses 35 spaces and additional spaces are used by individuals going to the dance studio.

Councilor McDonough stated what was being discussed tonight had been discussed at Council meetings. The chosen parking lots meet the needs of Sitel.

Deputy Mayor Martin asked the City Manager if we could speak with Sitel to see if something can be arranged so Mr. St. Peter's could get 10 additional parking spots. Mr. Bleess stated we could always speak to them to see what could be worked out, but he cautioned the Council that there is the need to approve an ordinance if the City is to sell the building to accommodate Sitel's timeline. The parking lots and the building are a package deal and Mr. Bleess reminded the Council that the Council had spent a great deal of time looking at the parking lots across the downtown plus the Collins Street property where a parking lot could be developed. The proposed Ordinance is what the Council had settled on. Mr. Bleess expressed his concern that a change in the parking structure at this time could ruin the deal.

Councilor Stewart noted that as more businesses move into the downtown area, it will be necessary for people to walk a little further than what they have done in the past.

An ordinance goes into effect 30 days following Council adoption. If adopted this evening it would be approximately March 25, 2015 before it goes into effect. There leaves about six days to have the closing. The proposed ordinance can be amended without a new public hearing as long as the amendment doesn't grossly change the substance of the ordinance. There was discussion about striking the words "westernly portion of" from the proposed ordinance.

Motion made by J. Smith, seconded by T. Stewart, to amend Ordinance No. 2, 2015 Series, An Ordinance regarding the Sale of Municipal Property, by striking the words "westernly portion of". (3 yes, T. Stewart, J. Smith, D. Martin, 3 no, J. Theriault, S. McDougall, P. McDonough) Motion failed.

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Motion made by P. McDonough, seconded by J. Theriault, to adopt Ordinance No. 2, 2015 Series, An Ordinance regarding the Sale of Municipal Property as presented. (3 yes, P. McDonough, S. McDougall, J. Theriault, 3 no, T. Stewart, J. Smith, D. Martin) Motion failed.

The Manager strongly encouraged a motion to reconsider which would have to be made by someone who voted on the prevailing side of the last motion, which was the “no” vote, unless the Council wants to call a Special Council Meeting for the 24<sup>th</sup> or 25<sup>th</sup>. Mr. Bless stated that he doesn’t think this is an issue that we should let die with a tie vote.

Motion made by T. Stewart, seconded by J. Smith, to move to reconsider the vote on the motion to adopt Ordinance No. 2, 2015 Series, An Ordinance regarding the Sale of Municipal Property as presented. (6 yes) So voted.

Motion made by J. Smith, seconded by T. Stewart, to adopt Ordinance No. 2, 2015 Series, An Ordinance regarding the Sale of Municipal Property, with the amendment to strike the words “westernly portion of”. (5 yes, T. Stewart, J. Smith, D. Martin, J. Theriault, S. McDougall, 1 no, P. McDonough) So voted.

Motion made by J. Smith, seconded by D. Martin, to ask Sitel if they are willing to swap for 10 slots along the south westerly side of Washburn Street. (2 yes, J. Smith, D. Martin, 4 no, J. Theriault, T. Stewart, S. McDougall, P. McDonough) Motion failed.

Council Agenda Item #6: Nuisance Property Ordinance

7:40 p.m. Public Hearing Opened.

No public input.

7:41 p.m. Public Hearing Closed.

Motion made by P. McDonough, seconded by J. Theriault, to adopt Ordinance No. 3, 2015 Series, An Ordinance creating Chapter 8, Article V Nuisance Property Ordinance, Short Title: Nuisance Property Ordinance as presented. (6 yes) So voted.

Councilor McDonough thanked the Planning Board, Landlords, and staff for their hard work developing this ordinance.

Council Agenda Item #7: Putting Tax Acquired Property out for bid

Motion made by P. McDonough, seconded by J. Smith, to place out to bid four properties located at:

1. Map 27 Lot 8 – 11 Lower Washington Street – Minimum Bid \$17,000
2. Map 28 Lot 78 – 22 York Street – Minimum Bid \$18,000
3. Map 34 Lot 167 – 8 South Park Street – Minimum Bid \$6,000
4. Map 35 Lot 137 – 28 Hammond Street – Minimum Bid \$8,000

(6yes) So voted.

Council Agenda Item #8: Other Business

- A. Highway and Protection committee to meet at 10:00 a.m. on February 24<sup>th</sup> in Council Chambers.
- B. Council Workshop to follow adjournment.

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Motion made by P. McDonough, seconded by J. Theriault to adjourn the meeting at 7:42p.m. (6 yes) So voted.

Upcoming Meeting Dates:

Regular City Council Meeting March 9, 2015 at 6:00 p.m.

Regular City Council Meeting March 23, 2015 at 6:00 p.m.

Jayne R. Farrin, Secretary